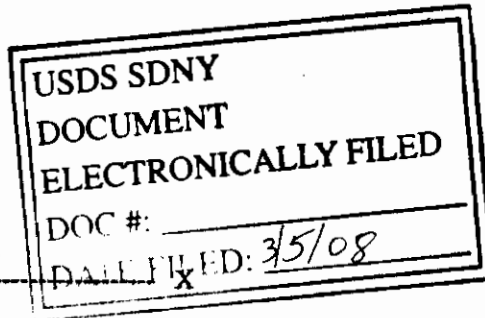


SULLIVAN 25

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



INTRALINKS, INC.,

Plaintiff,

-against-

EXADEL, INC.,

Defendant.

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Case No.: 07 Civ 8697 (RJS)

(Filed Electronically)

X

**STIPULATION REGARDING PLAINTIFF'S RIGHT TO DEMAND TRIAL BY JURY**

WHEREAS, IntraLinks, Inc. ("IntraLinks") commenced this action by filing its complaint (the "Complaint") on September 11, 2007 in the New York State Supreme Court;

WHEREAS, on or about October 9, 2007, before answering the Complaint, defendant Exadel, Inc. ("Exadel") removed the action to this Court, invoking this Court's diversity jurisdiction;

WHEREAS, on or about October 9, 2007, Exadel filed its Answer to the Complaint and interposed counterclaims against IntraLinks;

WHEREAS, on or about October 30, 2007, IntraLinks filed its Reply to Counterclaims;

WHEREAS, IntraLinks did not preserve or demand a jury in any of its pleadings or within the deadline set forth in the Federal Rules;

WHEREAS, on or about January 17, 2008, before any discovery had commenced, the Court issued an Order directing that the parties to meet and confer, and jointly prepare a form of Case Management Plan and Scheduling Order ("Scheduling Order");

WHEREAS, on or about January 23, 2008, IntraLinks forwarded a form of Scheduling Order to Exadel, among other things, disclosing for the first time its intent to try its case to a jury.

WHEREAS, on or about January 28, 2008, Exadel responded that IntraLinks had not timely elected trial by jury and, thus, had waived its right to a jury trial of its claims;

WHEREAS, on or about February 5, 2008, at the first conference in the matter, held before Honorable Richard J. Sullivan, District Judge, Exadel, again, asserted that IntraLinks had waived its right to demand a trial by jury;

WHEREAS, following on the February 5 conference, the Court entered the Scheduling Order and directed the parties to brief the issue of IntraLinks's alleged waiver of a trial by jury;

WHEREAS, on or about February 7, 2008, IntraLinks filed papers in support of a motion for an Order pursuant to Rules 39(b) and 81(c) of the Federal Rules of Civil Procedure, granting leave to file a late jury demand, and for such other and further relief as the Court deems just and proper (the "Motion");

WHEREAS, on or about February 25, 2008, counsel for Exadel informed counsel for IntraLinks that Exadel would not oppose IntraLinks's right to demand a trial by jury and, accordingly, would not be submitting papers in opposition to the Motion;

WHEREAS, the parties now resolve to stipulate that IntraLinks retains the right to demand a trial by jury in the Action;


NOW, THEREFORE, IT IS STIPULATED AND AGREED BY AND BETWEEN THE PARTIES HERETO, through their respective counsel of record and subject to the approval of the Court, that:

1. IntraLinks may demand a trial by jury in this Action;
2. Intralinks reserves the right to seek fees in connection with the Motion at the appropriate time; and,
3. Exadel reserves its right to oppose any application by Intralinks to seek fees in connection with the Motion.

Dated: New York, New York  
February 29, 2008

STIPULATED AND AGREED TO:

ATTORNEY FOR  
PLAINTIFF INTRALINKS, INC.

  
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ORDER

*Clerk shall terminate Motion filed as document #13.*

So ORDERED AND SIGNED this 3<sup>rd</sup> day of March, 2008.

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE